



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Paper No. 10

In re application of

Kaoru Murata et al.

Serial No. 09/554,513

Filed: May 17, 2000

For: COLUMN FOR CONCENTRATING COMPONENT IN
SAMPLE

DECISION ON
PETITION

This is a decision on the PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed August 13, 2002 for failure to respond to the office action dated January 2, 2002. Applicants assert that the Office Action was never received.

DECISION

Since petitioner asserts that the Office Action was not received, the request is accepted as a petition under 37 C.F.R. 1.181 (no fee). A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence is sufficient to establish that applicants did not receive the Office Action dated January 2, 2002. The submitted evidence is a statement that applicants did not receive the Office Action, a statement that applicants' attorney reviewed the office records to confirm the non-receipt, and a copy of the docket record where the nonreceived Office Action would have been entered had it been received.

Therefore, the Notice of Abandonment dated July 17, 2002 is hereby withdrawn. Hence, the case is returned to pending status. The application shall be returned to the LIE for remailing of the Office Action, and restarting the time period for response.

The Petition is **GRANTED**.

Richard V. Fisher, Director
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